THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 8210 of 2002

Dated: 10-02-2006

Between:

Wakf Complex Committee,

Mehaboobnagar,

Rep., by its Secretary Sri M.A.Samad Khan,

Mehaboobnagar.

..... PETITIONER

AND

Government of Andhra Pradesh

Rep., by its Principal Secretary,

Secretariat, Hyderabad and three others.

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8210 of 2002

O R D E R:

The petitioner-Committee known as Wakf Complex Committee, Mehaboobnagar, was constituted with eleven members for a period of three years, vide proceedings dated 16-09-1998 by the Chief Executive Officer, A.P.

State Wakf Board. The period of three years was expired on 16-09-2001. However, prior to the expiry of the term, the petitioner-Committee made a request to extend the term by five years so as to enable them to complete the works, which were undertaken by them. The Wakf Board, having considered the said request, on 20-06-2001 resolved to extent the term of the petitioner-Committee for a period three years from the date of expiry. The said proposal was submitted to the Government for implementation, however, Government by memo dated 03-10-2001 permitted the Chief Executive Officer to renew the term for a period of six months, instead of three years as recommended by the Wakf Board. Aggrieved by the said action, this writ petition is filed with a prayer to declare the action of the first respondent-Government in issuing the impugned memo dated 03-10-2001 restricting term of the petitioner-Committee to six months contrary to the resolution of the Wakf Board as arbitrary and illegal.

This Court, while directing Rule Nisi, by order dated 25-04-2002, directed to maintain *status quo* obtaining as on that date regarding the Management of the Wakf Complex, Mahaboobnagar, until further orders. By virtue of the said order, it is not dispute, that the petitioner-Committee still continues to manage the Wakf Complex at Mahaboobnagar.

When the matter is taken up for consideration, the learned counsel appearing for the respondent-Wakf Board at the outset submits that even the recommendation made by the Wakf Board by its resolution dated 20-06-2001 was to extend the term of the petitioner-Committee for a period of three years, which also expired on 16-09-2004.

Having heard the learned counsel for the petitioner-Committee in detail and having perused the material on record, I find force in the submission of the learned counsel for the respondent-Wakf Board.

Admittedly, the term of the petitioner-Committee initially constituted expired on 16-09-2001. The resolution passed by the Wakf Board was proposing to extend the term for a period of three years from 16-09-2001. Thus admittedly even the extended period has expired in the year 2004, during the pendency of this writ petition. Hence, the petitioner-Committee cannot continue any longer.

In the circumstances, the cause in the writ petition does not survive and the same is accordingly dismissed. It is needless to mention that the interim order dated 25-04-2002 shall stand vacated. No costs.

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G.ROHINI,J

Dated: 10-02-2006

Klp/ghn